

John M. Thomas, OSB #024691  
E-Mail: jthomas@rcolegal.com  
Routh Crabtree Olsen, P.C.  
11830 SW Kerr Parkway, Ste. 385  
Lake Oswego, Oregon 97035  
Phone: (503) 517-7180  
Fax: (425) 457-7369

Attorney for Defendant NWTS

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
MEDFORD DIVISION**

DONALD E. MCCOY,

Plaintiff,

Case No. 10-cv-03098-PA

v.  
BNC MORTGAGE, INC., a Delaware Corporation, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., a Delaware Corporation, NORTHWEST TRUSTEE SERVICES, INC., a Washington Corporation, U.S. BANK NATIONAL ASSOCIATION, as Trustee for the Structured Asset Investment Loan Trust, 2005-10, AIG FEDERAL SAVINGS BANK, FINANCE AMERICA, LLC, LEHMAN BROTHERS HOLDINGS, INC., IMPACT ONE MORTGAGE SERVICES,

Defendants.

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**DEFENDANT NORTHWEST TRUSTEE SERVICES, INC.'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

Pursuant to Fed. R. Civ. P. 12

**ORAL ARGUMENT REQUESTED BY TELEPHONE CONFERENCE**

**COMPLIANCE WITH LR 7.1**

The undersigned attorney certifies that he has attempted to confer with Plaintiff's counsel in good faith via email and telephone message prior to filing this motion, but he did not receive a

response from Plaintiff's counsel.

**MOTION**

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendant Northwest Trustee Services, Inc. (hereinafter "Defendant NWTS"), moves the Court for an order dismissing Plaintiff's Complaint for failure to state a claim.

This motion is supported by the accompanying Memorandum of Law and Request for Judicial Notice concurrently being filed.

Defendant NWTS respectfully requests oral argument on their motion by telephone conference pursuant to L.R. 7-1(d)(3), since Defendant NWTS' counsel's office is located in the Portland area. Defendant NWTS' counsel can be reached at (503) 517-7180.

DATED this 23rd day of September, 2010.

ROUTH CRABTREE OLSEN, P.C.

By /s/ John M. Thomas  
John M. Thomas, OSB #024691  
Attorney for Defendant NWTS  
11830 SW Kerr Parkway, Ste. 385  
Lake Oswego, Oregon 97035  
Phone: (503) 517-7180  
Fax: (425) 457-7369

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Defendant NWTS' Motion to Dismiss Plaintiff's Complaint (FRCP 12) upon the following parties via ECF on September 23, 2010:

James J. Stout  
James J. Stout PC  
419 S. Oakdale Ave  
Medford, OR 97501  
Attorney for Plaintiff

Julie M. Engbloom  
Pilar C. French  
Lane Powell PC  
601 SW Second Avenue, Suite 2100  
Portland, Oregon 97204-3158  
Attorneys for MERS

Julie M. Engbloom  
Lane Powell PC  
601 SW Second Avenue, Suite 2100  
Portland, Oregon 97204-3158  
Attorney for U.S. Bank National Association

DATED this 23rd day of September, 2010.

ROUTH CRABTREE OLSEN, P.C.

By /s/ John M. Thomas  
John M. Thomas, Attorney, OSB # 024691  
Attorney for Defendant NWTS  
11830 SW Kerr Parkway, Suite 385  
Lake Oswego, OR 97035  
(503) 517-7180, Fax (425) 457-7369  
jthomas@rcolegal.com